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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/709,281	04/27/2004	Ming-Kuan Qian	ACMP0094USA	3280
27765 7590 05/22/2007 NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION P.O. BOX 506 MERRIFIELD, VA 22116			EXAMINER WASHINGTON, JAMARES	
			ART UNIT 2609	PAPER NUMBER
			NOTIFICATION DATE 05/22/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/709,281

Applicant(s)

QIAN ET AL.

Examiner

Jamare Washington

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 08/04/2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-6 and 9-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eiichi Hayashi et al (US 2001/0010582 A1) in combination with George F. Rose (US 1677210).

Regarding claim 1, Hayashi discloses a method for fixing a movable module of an electronic apparatus (“...provide[s] a carriage securing structure for an image processor...” at paragraph [9]), wherein the movable module is installed inside a housing of the electronic apparatus (Fig. 1 numeral 11 “carriage” located inside numeral 10 “casing”), and the movable

module moves when the electronic apparatus is in operation (“...so that the half rate carriage 11 can slide on the support plate” at paragraph [24]), the method comprising:

providing a fixing member installed on the housing of the electronic apparatus (Fig. 1 numeral 15 “securing screw”) and a positioning member installed on the electronic apparatus (Fig. 1 numeral 13 “socket”).

However, Hayashi does not teach using a cushion to push the fixing member to the positioning member when the cushion is attached to the housing of the electronic apparatus.

Rose, in the same field of endeavor of movable carriage locking methods (“...one object of the invention being to provide an improved machine of this character with efficient means for locking the carriage...” at page 1 column 4) teaches the method of pushing a fixing member (Fig. 2 numeral 51), using a cushion (Fig. 3 numeral 59 “abutment” engages the fixing member thus automatically locking the carriage) when the cushion is attached to the housing of the electronic apparatus (“...when the cover portion of the casing is moved to position for enclosing the machine, the rear wall of the cover...engages lever 51, moving the same forwardly...” at page 3 line 92).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the carriage fixing assembly of Hayashi (i.e., wherein the scanning apparatus utilizes a fixing member located on the bottom of the device for locking the scanner carriage to keep the carriage from moving) according to the teachings of Rose, whereby the fixing member of Hayashi is pushed into place by a cushion (e.g., a box, or other packing/transportation materials) as taught by Rose, and whereby the fixing member of Hayashi is released upon removal of the cushion also as taught by Rose, so that carriage locking and

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unlocking is performed by the placing and displacing of the cover of the apparatus to hold and release the fixing member when transporting the electronic device. One uses a cover (cushioning enclosure) to protect the outer structure from damage when transporting electronic devices. Utilizing the above combination would allow for the carriage to always be in an immobile state when transporting the unit, thus eliminating the need for undue user intervention (e.g. remembering to fix the carriage before attempting to transport the apparatus as shown in the Hayashi reference Fig. 4).

Regarding claim 2, the Hayashi-Rose combination discloses the method as rejected in claim 1 above and further meets the claim limitations of separating the fixing member from the positioning member when the cushion is detached from the housing of the electronic apparatus.

Regarding claim 3, the Hayashi-Rose combination discloses the method of claim 2 further comprising providing an elastic device installed on the fixing member so that the fixing member is separated from the positioning member and returns to an original position when the cushion is detached from the housing of the electronic apparatus (Fig. 2 numeral 34 and Fig. 3 numeral 54 "spring". Rose).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the spring as the elastic device as taught by Rose on the fixing member of the Hayashi-Rose combination because it is a magnificent device for storing potential energy and releasing when warranted which is what would be needed to push the fixing member from the positioning member and because of the low cost with implementing such a system.

Regarding claim 4, the Hayashi-Rose combination discloses the method of claim 2 further comprising providing an elastic device installed on the positioning member so that the positioning member is separated from the fixing member and returns to an original position when the cushion is detached from the housing of the electronic apparatus (as rejected in claim 3 above. Hayashi).

Regarding claim 5, the Hayashi-Rose combination discloses the method of claim 1 wherein the fixing member is a protrusion (as rejected in claim 1 above. Securing screw is a protrusion. Hayashi).

Regarding claim 6, the Hayashi-Rose combination discloses the method of claim 1 wherein the positioning member is a recess (as rejected in claim 1 above. Positioning member is a socket that is a recess in which the fixing member would fit. Hayashi).

Regarding claim 9, the Hayashi-Rose combination discloses the method of claim 1 wherein the electronic apparatus is a scanner ("The present invention relates to an image processor for scanning an original..." at paragraph [2]) and the movable module is a scanning module movable to scan documents when the scanner is in operation ("...carriage which is movable for the scanning operation of the image processor..." at paragraph [2]. Hayashi).

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Regarding claim 10, the Hayashi-Rose combination discloses an electronic apparatus implementing the method of claim 1 as rejected in claim 9 above. It shall be noted that, "While features of an apparatus may be recited either structurally or functionally, claims directed to an apparatus must be distinguished from the prior art in terms of structure rather than function." In re Schreiber, 128 F.3d 1473, 1477-78, 44 USPQ2d 1429, 1431-32 (Fed. Cir.1997) Manual of Patent Examining Procedures 2114.

Regarding claim 11, the Hayashi-Rose combination discloses the electronic apparatus performing the method as rejected in claim 1 above.

Regarding claim 12, the Hayashi-Rose combination discloses the electronic apparatus as rejected in claim 9 above.

Regarding claim 13, the Hayashi-Rose combination discloses the electronic apparatus as rejected in claim 9 above.

Regarding claim 14, the Hayashi-Rose combination discloses the electronic apparatus of claim 11 further comprising an elastic device installed on the fixing device to return the fixing device to an original position and separate the fixing device from the positioning device as rejected in claim 3 above.

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Regarding claim 15, the Hayashi-Rose combination discloses the electronic apparatus as rejected in claim 5 above.

Regarding claim 16, the Hayashi-Rose combination discloses the electronic apparatus as rejected in claim 6 above.

Regarding claim 17, the Hayashi-Rose combination discloses the electronic apparatus as rejected in claim 7 above.

Regarding claim 18, the Hayashi-Rose combination discloses the electronic apparatus as rejected in claim 8 above.

4. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jacky Tseng (US 5973866 A) in combination with George F. Rose (US 1677210).

Regarding claim 7, Tseng discloses a method for fixing a movable module of an electronic apparatus (“...locking device for easily locking the scanning module...” at column 1 line 33), wherein the movable module is installed inside a housing of the electronic apparatus (Fig. 1 numeral 14), and the movable module moves when the electronic apparatus is in operation (“...a scanning module 14 movably installed in the housing 12 for scanning a document...” at column 2 line 39) the method comprising:

providing a fixing member installed on the housing of the electronic apparatus (Fig. 2 numeral 26) and a positioning member installed on the electronic apparatus (Fig. 2 numeral 22);

wherein the fixing member includes a hook (Fig. 2 numeral 44) and the positioning member includes a hook (Fig. 2 numeral 22).

Tseng fails to teach using a cushion to push the fixing member to the positioning member when the cushion is attached to the housing of the electronic apparatus.

However, Rose, in the same field of endeavor, discloses the concept of locking an electronic device's movable carriage by placing a cover over the apparatus as taught in claim 1 above.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the carriage fixing assembly of Tseng (i.e., wherein the scanning apparatus utilizes a fixing member and positioning member both equipped with hooks) according to the teachings of Rose, whereby the fixing member of Tseng is pushed upward or downward (according to Fig. 1 [Tseng] pushing the lock in the direction of the scanner carriage arrow to lock and unlock the carriage) by a cushion (e.g., a box, or other packing/transportation materials [Rose]), so that the carriage locking and unlocking is performed by the placing and displacing of the cover of the apparatus from the end with the fixing member towards the end depicted as numeral 12 in Fig. 1 (Rose) when transporting the electronic device. One uses a cover (cushioning enclosure) to protect the outer structure from damage when transporting electronic devices. Utilizing the above combination would allow for the carriage to always be in an immobile state when transporting the unit, thus eliminating the need for undue user intervention.

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Regarding claim 8, Tseng of the Tseng-Rose combination discloses the method of claim 7 wherein the electronic apparatus further comprises a connecting port installed on the housing of the electronic apparatus (Fig. 2 numeral 26 "recess"), and the fixing member further comprises a slide bar that covers the connecting port when the fixing member clips on the positioning member (Fig. 2 numeral 30).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamares Washington whose telephone number is (571) 270-1585. The examiner can normally be reached on Monday thru Friday: 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Werner can be reached on (571) 272-7401. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Jamares Washington
Junior Examiner
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05/10/07



BRIAN WERNER
SUPERVISORY PATENT EXAMINER